

THE LAW OFFICE OF  
**NOOR A. SAAB**

380 N. Broadway, Ste 300

Jericho, New York 11753

Tel: (718) 740-5060 \* Fax: (718) 709-5912

Email: [NoorASaabLaw@gmail.com](mailto:NoorASaabLaw@gmail.com)

Noor A. Saab, Esq.\*

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\* Admitted in New York

QUEENS OFFICE

148-02 Hillside Ave

Jamaica, New York 11435

April 24, 2024

VIA ECF

Honorable Judge Jesse M. Furman

United States District Court

Southern District of New York

40 Foley Square, Courtroom 1105

New York, New York 10007

**Re: Jasmine Robertson v. The Finch Company - Case No.: 1:23-cv-05124-JMF**

Honorable Judge Jesse M. Furman:

Plaintiff, by her attorney Noor A. Saab, submits this letter motion respectfully requesting an Order staying all proceedings in this case as the Plaintiff has passed away. The Complaint was filed on June 16, 2023 (Docket No: 1). Defendant appeared by counsel and filed Waiver of The Service of Summons (Docket No. 7). The time to Answer was extended to September 23, 2023 (Docket No.: 9). The case was settled in principal and Notice of Settlement was filed on September 27, 2023 (Docket No. 12) and conditional Order of dismissal without prejudice was issued on September 28, 2023 (Docket No. 13). Thereafter, the Court extended the time of the Dismissal of the case to December 27, 2023 (Docket No. 15). Unbeknownst to Your affirmant, the Plaintiff fell into a coma at some point in November of 2023 before the agreement was memorialized. After months of diligent investigations and attempts to reach the Plaintiff, only recently counsel was able to reach the next of kin, Aliya Robertson, sister of the Plaintiff. Sadly, the undersigned was notified by way of Plaintiff's sister, Aliya Robertson, that Plaintiff lost her battle with brain cancer and passed away on March 17, 2024.

Accordingly, counsel for the Plaintiff respectfully requests Your Honor grant an Order to stay all proceedings in this case for a period of ninety (90) days to permit time to the decedent's successor or representative to make a motion for substitution, pursuant to Fed. R. Civ. P. 25(a). The Defendant's attorney has consented to this request. This is the first time Plaintiff's attorney seeks the relief requested, herein.

The undersigned wishes to thank Your Honor and this Court for the time and attention to this matter.

Application GRANTED, though the Court reserves judgment on whether any claim would survive Plaintiff's death. Plaintiff shall file any motion for substitution by **May 31, 2024**. The Court extends its condolences to Ms. Robertson's family. The Clerk is directed to terminate ECF No. 16.

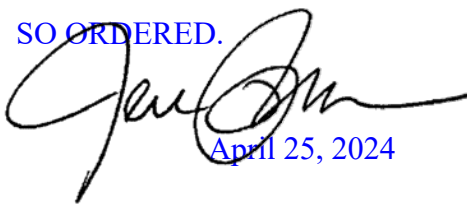
Respectfully submitted,

/s/ Noor A. Saab

Noor A. Saab, Esq.

Attorney for the Plaintiff

SO ORDERED.



April 25, 2024